



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3097

by Rep. Brandon W. Phelps

SYNOPSIS AS INTRODUCED:

520 ILCS 5/3.27	from Ch. 61, par. 3.27
520 ILCS 5/3.28	from Ch. 61, par. 3.28
520 ILCS 5/3.29	from Ch. 61, par. 3.29
520 ILCS 5/3.31 rep.	

Amends the Wildlife Code. Provides that licensees under a specified provision of the Code shall release not less than 250 of the species authorized to be released each hunting season for Class A game breeding and hunting preserve areas or during the license year for Class B game breeding and hunting preserve areas. Provides that the licensee of any licensed game breeding and hunting preserve area may take, or authorize to be taken, on licensed areas and within the season fixed and designated, 100% of the hand reared Ring-necked pheasants released within that season. Removes the Coturnix from that provision. Provides that licensed areas which dress game birds may affix the tag to the bag in which the dressed game birds are contained or include the tag in the bag containing game birds such tag to be clearly visible from the outside of the bag. Provides that all game birds harvested on licensed areas that will be taken from those licensed areas in feather by persons authorized to take those game birds are to be properly banded on the same day they are taken. Provides that all game birds harvested on licensed areas that will be taken or shipped from those licensed areas as dressed game birds in bags shall have one tag either affixed to the bag or placed in the bag when the game birds are placed in the bag. Repeals a provision authorizing the Department of Natural Resources to designate any operator of a licensed game breeding and hunting preserve area or any of his or its agents or employees as a special representative of the Department with power to enforce the game laws and to prevent trespassing upon such property.

LRB099 08862 MGM 29034 b

1 AN ACT concerning wildlife.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Wildlife Code is amended by changing
5 Sections 3.27, 3.28, and 3.29 as follows:

6 (520 ILCS 5/3.27) (from Ch. 61, par. 3.27)

7 Sec. 3.27. Any person owning, holding or controlling, by
8 lease, which possession must be for a term of 5 or more years,
9 any contiguous tract of land having an area of not less than
10 200 acres, and not more than 1280 acres, with at least 100
11 acres of suitable wildlife habitat, who desires to establish a
12 game breeding and hunting preserve area, to propagate, preserve
13 and hunt game birds shall make application to the Department
14 for a license as herein provided. Such application shall be
15 made under oath of the applicant or under oath of one of its
16 principal officers if the applicant is an association, club or
17 corporation. In the case of releasing and harvesting hand
18 reared mallards, the tract of land, with the approval of the
19 Department, may be smaller than that required in this Section
20 but in all other respects the applicant shall conform to the
21 provisions of this Act. The application shall be accompanied by
22 a license fee of not to exceed \$100 for a Class A license or a
23 license fee not to exceed \$200 for a Class B license.

1 Every licensee under this Section shall release not less
2 than 250, either individually or in aggregate, of the species
3 authorized to be released and taken in Section 3.28 of this Act
4 ~~Bobwhite quail or pheasants~~ each hunting season for Class A
5 game breeding and hunting preserve areas or during the license
6 year for Class B game breeding and hunting preserve areas.

7 Upon receipt of such application, the Department shall
8 inspect the proposed licensed area described in such
9 application and the premises and facilities where game birds
10 are to be propagated and the cover for game birds and the
11 ability of the applicant to operate a property of this
12 character. If the Department finds that the area meets the
13 requirements of all applicable laws and administrative rules
14 and that the game birds are reasonably healthy and disease
15 free; and that the issuing of the license will otherwise be in
16 the public interest; the Department shall approve the
17 application and issue the license for the operation of the
18 property described in the application with the rights and
19 subject to the limitations in this Act prescribed.

20 All game breeding and hunting preserve area licenses expire
21 on April 30 of each year.

22 Upon receipt of such license, the licensee shall promptly
23 post such licensed areas at intervals of not more than 500 feet
24 with signs to be prescribed by the Department. The boundaries
25 of such licensed game breeding and hunting preserve areas shall
26 also be clearly defined by natural or artificial boundaries and

1 by signs.

2 (Source: P.A. 93-554, eff. 8-20-03.)

3 (520 ILCS 5/3.28) (from Ch. 61, par. 3.28)

4 Sec. 3.28. The licensee of any licensed game breeding and
5 hunting preserve area may take, or authorize to be taken, on
6 licensed areas and within the season fixed and designated, and
7 in such numbers as herein provided, the following: (a) 100% of
8 each of the following species of game birds released within the
9 said season: hand reared Ring-necked pheasants, Bobwhite
10 quail, Hungarian partridges, Chukar partridges, ~~Coturnix~~ and
11 wild turkeys; and (b) hand reared mallard ducks may be released
12 at any time of the year for shooting purposes and 100% of those
13 released may be harvested by shooting.

14 All the foregoing birds so released, ~~except Coturnix,~~ shall
15 be at least 16 weeks of age before releasing the same and shall
16 possess full plumage.

17 (Source: P.A. 84-150.)

18 (520 ILCS 5/3.29) (from Ch. 61, par. 3.29)

19 Sec. 3.29. For the purpose of this Act, game birds shall be
20 released upon licensed game breeding and hunting preserve areas
21 in a manner satisfactory to the Department. The licensee shall
22 keep a register on forms prescribed by the Department which
23 shall clearly show the number and kind of game birds released
24 each year, the month of release, and also the number and kind

1 of game birds taken, the month when taken and the disposition
2 made of such game birds, and shall submit such reports under
3 oath as to game birds released and taken, to the Department not
4 later than 10 days following the end of each month during the
5 season. The Department shall keep an adequate record of the
6 number of birds released on each licensed game breeding and
7 hunting preserve area in each year and of the birds taken.

8 The Department shall prepare special tags suitable for use
9 upon legs of game birds, including hand reared mallard ducks,
10 which tags shall be of a type not removable without breaking
11 and mutilating the tag, such tags to be used to designate birds
12 taken upon a licensed game breeding and hunting preserve area,
13 and such tag shall remain upon the leg of such game bird until
14 such bird is finally prepared for consumption. Those licensed
15 areas which dress game birds may affix the tag to the bag in
16 which the dressed game birds are contained or include the tag
17 in the bag containing game birds that tag to be clearly visible
18 from the outside of the bag. Upon application and payment of a
19 fee of 10 cents for each such tag, the Department shall furnish
20 licensees with such tags. All game birds harvested on licensed
21 areas that will be taken from the licensed areas in feather by
22 persons authorized to take those game birds are to be properly
23 banded on the same day they are taken. All game birds harvested
24 on licensed areas that will be taken or shipped from those
25 licensed areas as dressed game birds in bags shall have one tag
26 either affixed to the bag or placed in the bag when the game

1 birds are placed in the bag.

2 (Source: P.A. 93-554, eff. 8-20-03.)

3 (520 ILCS 5/3.31 rep.)

4 Section 10. The Wildlife Code is amended by repealing

5 Section 3.31.